

# **Exhibit 1**

**SUMMONS**

<b>District Court: Thirteenth</b> <b>Valencia County</b> <b>Court Address: 1835 Highway 314 SW</b> <b>Los Lunas, NM 87031</b> <b>Court Telephone No: (505) 865-2400</b>	<b>Case Number: D-1314-CV-2019-00339</b>  <b>Judge: James L. Sanchez</b>
<b>Leeann Trujillo,</b>  <b>Plaintiff,</b>  <b>v.</b>  <b>American Airlines, Robert Conwell, and</b> <b>Charley Stewart,</b>  <b>Defendants.</b>	<b>Name: American Airlines</b> <b>c/o C T Corporation</b> <b>Address: 206 S. Coronado Ave</b> <b>Española, NM 87532-2792</b>

**TO THE ABOVE NAMED DEFENDANT(S):** Take notice that

1. A lawsuit has been filed against you. A copy of the lawsuit is attached. The Court issued this Summons.
2. You must respond to this lawsuit in writing. You must file your written response with the Court no later than thirty (30) days from the date you are served with this Summons. (The date you are considered served with the Summons is determined by Rule 1-004 NMRA) The Court's address is listed above.
3. You must file (in person or by mail) your written response with the Court. When you file your response, you must give or mail a copy to the person who signed the lawsuit.
4. If you do not respond in writing, the Court may enter judgment against you as requested in the lawsuit.
5. You are entitled to a jury trial in most types of lawsuits. To ask for a jury trial, you must request one in writing and pay a jury fee.
6. If you need an interpreter, you must ask for one in writing.
7. You may wish to consult a lawyer. You may contact the State Bar of New Mexico for help finding a lawyer at [www.nmbar.org](http://www.nmbar.org); 1-800-876-6657; or 1-505-797-6066.

Dated at LOS LUNAS, New Mexico, on this 25TH day of 2019.

PHILLIP ROMERO, CLERK OF COURT

By: /s/ Jane Yarbrough  
Deputy



Attorney for Plaintiff  
Name: Timothy L. White  
Address: PO Box 25646  
Albuquerque, NM 87125  
Telephone: (505)345-0289  
Fax: (505) 345-2573  
Email Address: [tim@valdezwhite.com](mailto:tim@valdezwhite.com)

**THIS SUMMONS IS ISSUED PURSUANT TO RULE 1-004 OF THE NEW MEXICO RULES OF CIVIL PROCEDURE FOR DISTRICT COURTS.**

RETURN<sup>1</sup>

STATE OF NEW MEXICO )  
COUNTY OF Bernalillo )<sup>ss</sup>

I, being duly sworn, on oath, state that I am over the age of eighteen (18) years and not a party to this lawsuit, and that I served this summons in Bernalillo county on the 25<sup>th</sup> day of MARCH, 2018, by delivering a copy of this summons, with a copy of complaint attached, in the following manner: 2019 (19)

☒ to the defendant by [mail] [courier service] as provided by Rule 1-004 NMRA.

After attempting to serve the summons and complaint on the defendant by personal service or by mail or commercial courier service, by delivering a copy of this summons, with a copy of complaint attached, in the following manner:

[ ] to \_\_\_\_\_, a person over fifteen (15) years of age and residing at the usual place of abode of defendant \_\_\_\_\_, (used when the defendant is not presently at place of abode) and by mailing by first class mail to the defendant at \_\_\_\_\_ (insert defendant's last known mailing address) a copy of the summons and complaint.

[ ] to \_\_\_\_\_, the person apparently in charge at the actual place of business or employment of the defendant and by mailing by first class mail to the defendant at \_\_\_\_\_ (insert defendant's business address) and by mailing the summons and complaint by first class mail to the defendant at \_\_\_\_\_ (insert defendant's last known mailing address).

[ ] to \_\_\_\_\_, an agent authorized to receive service of process for defendant \_\_\_\_\_.

[ ] to \_\_\_\_\_, [parent] [guardian] [custodian] [conservator] [guardian ad litem] of defendant \_\_\_\_\_ (used when defendant is a minor or an incompetent person).

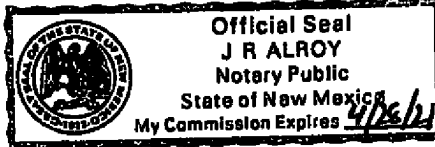
[ ] to \_\_\_\_\_ (name of person), \_\_\_\_\_, (title of person authorized to receive service. Use this alternative when the defendant is a corporation or an association subject to a suit under a common name, a land grant board of trustees, the State of New Mexico or any political subdivision).

Fees: \_\_\_\_\_

Timothy White  
Signature of person making service  
Attorney for Plaintiff  
Title (if any)

Subscribed and sworn to before me this 25<sup>th</sup> day of MARCH, 2018

[Signature]  
Judge, notary or other officer  
authorized to administer oaths



Official title \_\_\_\_\_

JY

STATE OF NEW MEXICO  
COUNTY OF VALENCIA  
THIRTEENTH JUDICIAL DISTRICT COURT

FILED  
13th JUDICIAL DISTRICT COURT  
Valencia County  
3/20/2019 10:24 AM  
PHILLIP ROMERO  
CLERK OF THE COURT

LEEANN TRUJILLO,

Plaintiff,

v.

No. D-1314-CV-2019-00339

AMERICAN AIRLINES, ROBERT CONWELL,  
and CHARLEY STEWART,

Defendants.

**COMPLAINT FOR DAMAGES**

Leeann Trujillo, by and through her attorneys Valdez and White Law Firm, LLC (Timothy L. White), for her claims against the Defendants, states:

1. This is an action for damages arising from Leeann Trujillo's termination by Defendant due to her sex and pregnancy, in violation of the New Mexico Human Rights Act, NMSA 28-1-7 et seq. (the NMHRA).
2. Jurisdiction and venue are proper in this court as all acts complained of occurred in New Mexico and Defendant American Airlines is a "person" as defined by the NMHRA.
3. Defendant was at all relevant times an employer as defined in the NMHRA, having at least four employees.
4. Plaintiff has satisfied all applicable administrative requirements before filing this lawsuit. Plaintiff received her New Mexico Human Rights Order of Non-determination on February 7, 2019.
5. Leanne is a resident of Valencia County, New Mexico.

6. Leeann was terminated on April 3, 2018, because of her sex; female and her pregnancy.

7. Leeann was hired by Defendant American Airlines as a customer service agent in or around July 24, 2017.

8. Leeann was on probation for the first six months of her employment, beginning July 24, 2017 and ending on or around January 24, 2018.

9. On or around April 2, 2018, Leeann emailed her direct supervisor at American Airlines, Robert Conwell, to inform him she was pregnant and that she would need some temporary accommodations in her job duties.

10. The next day, April 3, 2018, Plaintiff was fired for the false reason of violating the attendance policy while on probation, despite the fact that Plaintiff's probationary period was completed nearly two- and one-half months (2½) prior to this time.

**COUNT I - DISCRIMINATION ON THE BASIS OF SEX IN VIOLATION OF THE NEW MEXICO HUMAN RIGHTS ACT**

11. Plaintiff incorporates by reference the factual allegations of each of the preceding paragraphs.

12. Plaintiff is female and at the time she was fired was pregnant.

13. Plaintiff was qualified for the position she was performing.

14. Defendant discriminated against Plaintiff on the basis of her sex and pregnancy; by firing her one day after she informed her supervisor that she was pregnant and needed temporary accommodations.

15. Plaintiff has suffered an adverse employment actions due to this discrimination in the form of her termination.

16. Plaintiff has been damaged as a result of this discrimination described above in the form of back and front pay, in the form of all compensatory damages allowed by law, attorneys fees, costs and expenses incurred in this action and for prejudgment and post-judgment interest as allowed by law, and for such other relief as the court considers proper.

**REQUESTED FOR RELIEF**

For the reasons set forth in this complaint, Plaintiff respectfully requests that the Court enter judgment as follows:

1. Against defendant for all lawfully recoverable compensatory damages in amount to be determined by the jury;
2. Against defendant for costs, expenses and attorneys' fees; and
3. For such other relief as the Court finds plaintiff entitled.

Respectfully submitted,

Valdez and White Law Firm, LLC

By: /s/Timothy L. White  
Timothy L. White  
P.O. Box 25646  
Albuquerque, N.M. 87125  
Phone: (505) 345-0289  
Facsimile: (505) 345-2573  
tim@valdezwhite.com

# **Exhibit 2**

<b>SECOND ALIAS SUMMONS</b>
-----------------------------

District Court: Thirteenth Valencia County Court Address: 1835 Highway 314 SW Los Lunas, NM 87031 Court Telephone No: (505) 865-2400	Case Number: D-1314-CV-2019-00339  Judge: James L. Sanchez
Leeann Trujillo,  <div style="text-align: center;">Plaintiff,</div> <div style="text-align: center;">v.</div> American Airlines, Robert Conwell, and <b>Charley Stewart,</b>  <div style="text-align: center;">Defendants.</div>	Name: <b>Charley Stewart</b> Address: 832 Knox Ct NE Albuquerque, NM 87123

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2. You must respond to this lawsuit in writing. You must file your written response with the Court no later than thirty (30) days from the date you are served with this Summons. (The date you are considered served with the Summons is determined by Rule 1-004 NMRA) The Court's address is listed above.
3. You must file (in person or by mail) your written response with the Court. When you file your response, you must give or mail a copy to the person who signed the lawsuit.
4. If you do not respond in writing, the Court may enter judgment against you as requested in the lawsuit.
5. You are entitled to a jury trial in most types of lawsuits. To ask for a jury trial, you must request one in writing and pay a jury fee.
6. If you need an interpreter, you must ask for one in writing.
7. You may wish to consult a lawyer. You may contact the State Bar of New Mexico for help finding a lawyer at [www.nmbar.org](http://www.nmbar.org); 1-800-876-6657; or 1-505-797-6066.

Dated at LOS LUNAS, New Mexico, on this 18 day of 2019.

PHILLIP ROMERO,  
\_\_\_\_\_, CLERK OF COURT

By: /s/ Jane Yarbrough  
Deputy



Attorney for Plaintiff  
 Name: Timothy L. White  
 Address: PO Box 25646  
 Albuquerque, NM 87125  
 Telephone: (505)345-0289  
 Fax: (505) 345-2573  
 Email Address: tim@valdezwhite.com

THIS SUMMONS IS ISSUED PURSUANT TO RULE 1-004 OF THE NEW MEXICO  
 RULES OF CIVIL PROCEDURE FOR DISTRICT COURTS.



JY

STATE OF NEW MEXICO  
COUNTY OF VALENCIA  
THIRTEENTH JUDICIAL DISTRICT COURT

FILED  
13th JUDICIAL DISTRICT COURT  
Valencia County  
3/20/2019 10:24 AM  
PHILLIP ROMERO  
CLERK OF THE COURT

LEEANN TRUJILLO,

Plaintiff,

v.

No. D-1314-CV-2019-00339

AMERICAN AIRLINES, ROBERT CONWELL,  
and CHARLEY STEWART,

Defendants.

**COMPLAINT FOR DAMAGES**

Leeann Trujillo, by and through her attorneys Valdez and White Law Firm, LLC (Timothy L. White), for her claims against the Defendants, states:

1. This is an action for damages arising from Leeann Trujillo's termination by Defendant due to her sex and pregnancy, in violation of the New Mexico Human Rights Act, NMSA 28-1-7 et seq. (the NMHRA).
2. Jurisdiction and venue are proper in this court as all acts complained of occurred in New Mexico and Defendant American Airlines is a "person" as defined by the NMHRA.
3. Defendant was at all relevant times an employer as defined in the NMHRA, having at least four employees.
4. Plaintiff has satisfied all applicable administrative requirements before filing this lawsuit. Plaintiff received her New Mexico Human Rights Order of Non-determination on February 7, 2019.
5. Leanne is a resident of Valencia County, New Mexico.

6. Leeann was terminated on April 3, 2018, because of her sex; female and her pregnancy.

7. Leeann was hired by Defendant American Airlines as a customer service agent in or around July 24, 2017.

8. Leeann was on probation for the first six months of her employment, beginning July 24, 2017 and ending on or around January 24, 2018.

9. On or around April 2, 2018, Leeann emailed her direct supervisor at American Airlines, Robert Conwell, to inform him she was pregnant and that she would need some temporary accommodations in her job duties.

10. The next day, April 3, 2018, Plaintiff was fired for the false reason of violating the attendance policy while on probation, despite the fact that Plaintiff's probationary period was completed nearly two- and one-half months (2½) prior to this time.

**COUNT I - DISCRIMINATION ON THE BASIS OF SEX IN VIOLATION OF THE NEW MEXICO HUMAN RIGHTS ACT**

11. Plaintiff incorporates by reference the factual allegations of each of the preceding paragraphs.

12. Plaintiff is female and at the time she was fired was pregnant.

13. Plaintiff was qualified for the position she was performing.

14. Defendant discriminated against Plaintiff on the basis of her sex and pregnancy; by firing her one day after she informed her supervisor that she was pregnant and needed temporary accommodations.

15. Plaintiff has suffered an adverse employment actions due to this discrimination in the form of her termination.

16. Plaintiff has been damaged as a result of this discrimination described above in the form of back and front pay, in the form of all compensatory damages allowed by law, attorneys fees, costs and expenses incurred in this action and for prejudgment and post-judgment interest as allowed by law, and for such other relief as the court considers proper.

**REQUESTED FOR RELIEF**

For the reasons set forth in this complaint, Plaintiff respectfully requests that the Court enter judgment as follows:

1. Against defendant for all lawfully recoverable compensatory damages in amount to be determined by the jury;
2. Against defendant for costs, expenses and attorneys' fees; and
3. For such other relief as the Court finds plaintiff entitled.

Respectfully submitted,

Valdez and White Law Firm, LLC

By: /s/Timothy L. White

Timothy L. White

P.O. Box 25646

Albuquerque, N.M. 87125

Phone: (505) 345-0289

Facsimile: (505) 345-2573

[tim@valdezwhite.com](mailto:tim@valdezwhite.com)

# Exhibit 3

**STATE OF NEW MEXICO  
COUNTY OF VALENCIA  
THIRTEENTH JUDICIAL DISTRICT COURT**

**LEEANN TRUJILLO,**

Plaintiff,

v.

Cause No. D-1314-CV-2019-00339

**AMERICAN AIRLINES, INC.,  
ROBERT CONWELL and  
CHARLEY STEWART,**

Defendants.

**RESPONSE TO DEFENDANT AMERICAN AIRLINES, INC.'S FIRST SET OF  
REQUESTS FOR ADMISSION TO PLAINTIFF LEEANN TRUJILLO**

Leanne Trujillo responds to defendant's request for admission as follows:

**REQUESTS FOR ADMISSION**

**REQUEST FOR ADMISSION NO. 1:** Admit that you seek more than \$75,000 in this action,  
exclusive of interest and costs.

**RESPONSE:** Admitted.

**REQUEST FOR ADMISSION NO. 2:** Admit that you seek \$75,000 or less in this action,  
exclusive of interest and costs.

**RESPONSE:** Denied.

VALDEZ & WHITE LAW FIRM, LLC

By: /s/Timothy L. White

Timothy L. White

PO Box 25646

Albuquerque, NM 87125

Tel: (505) 345-0289

tim@valdezwhite.com

# **Exhibit 4**

**DECLARATION OF CAROLINE RAY**

STATE OF TEXAS                                 )  
  )ss.  
COUNTY OF Tarrant                         )

STATE OF TEXAS )  
 )ss.  
COUNTY OF Tarrant )

I, Caroline Ray, hereby make the following declaration under the penalties of perjury:

1. I am over the age of eighteen and have personal knowledge of the facts set forth in this Declaration and, if called to testify as a witness, I could and would competently testify thereto.

2. I am American Airlines, Inc.'s Corporate Secretary. In my position with American Airlines, Inc. I am familiar with American Airlines, Inc.'s corporate records.

3. American Airlines, Inc. is a Delaware corporation with its principal place of business in the State of Texas.

I declare under penalty of perjury that the foregoing is true and correct.

Caroline B. Ray  
Caroline Ray

DATED: 9/18/19



# **Exhibit 5**

**DECLARATION OF LAUREN G. GOETZL**

STATE OF MARYLAND                    )  
  )ss.  
COUNTY OF MONTGOMERY        )

I, Lauren G. Goetzl, hereby make the following declaration under the penalties of perjury:

1.       I am over the age of eighteen and have personal knowledge of the facts set forth in this Declaration and, if called to testify as a witness, I could and would competently testify thereto.

2.       I am counsel to American Airlines, Inc., Charley Stewart, and Robert Conwell in connection with the matter of Leeann Trujillo v. American Airlines, Inc., et al., Case No. D-1314-CV-2019-00339 in the Thirteenth Judicial District Court of New Mexico.

3.       Leeann Trujillo dual-filed a charge of discrimination naming only American Airlines with the Equal Employment Opportunity Commission and the New Mexico Department of Workforce Solutions, Human Rights Bureau (“NMDWS”) on or about August 24, 2018. A true and accurate copy of that charge of discrimination is attached hereto as Exhibit A.

4.       Although Trujillo has asserted that she filed an amended charge of discrimination with the NMDWS adding Stewart and Conwell as respondents, the NMDWS confirmed on May 16, 2019 that no such amended charge was filed. A true and accurate copy of the May 16, 2019 correspondence is attached hereto as Exhibit B.

I declare under penalty of perjury that the foregoing is true and correct.



\_\_\_\_\_  
Lauren G. Goetzl

DATED: 09/23/2019

# **Exhibit A**

EEOC Form 5 (11/09)

<b>CHARGE OF DISCRIMINATION</b> This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To:      Agency(ies) Charge No(s): <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> FEPA  <input checked="" type="checkbox"/> EEOC         </div> <div style="text-align: right;"> <b>543-2018-01088</b> </div> </div>	
<b>New Mexico Dept of Workforce Solutions, Human Rights Bureau</b> and EEOC <i>State or local Agency, if any</i>			
Name (indicate Mr., Ms., Mrs.) <b>Ms. Leeann Trujillo</b>		Home Phone <b>(505) 459-7391</b>	Year of Birth
Street Address      City, State and ZIP Code <b>1107 Perion Court, BELEN, NM 87002</b>			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name <b>AMERICAN AIRLINES</b>		No. Employees, Members	Phone No. <b>(505) 788-7800</b>
Street Address      City, State and ZIP Code <b>2200 Sunport blvd se, ALBUQUERQUE, NM 87106</b>			
Name		No. Employees, Members	Phone No.
Street Address      City, State and ZIP Code			
DISCRIMINATION BASED ON (Check appropriate box(es).) <div style="display: flex; flex-wrap: wrap;"> <div style="margin-right: 10px;"><input type="checkbox"/> RACE</div> <div style="margin-right: 10px;"><input type="checkbox"/> COLOR</div> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> SEX</div> <div style="margin-right: 10px;"><input type="checkbox"/> RELIGION</div> <div style="margin-right: 10px;"><input type="checkbox"/> NATIONAL ORIGIN</div> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> RETALIATION</div> <div style="margin-right: 10px;"><input type="checkbox"/> AGE</div> <div style="margin-right: 10px;"><input type="checkbox"/> DISABILITY</div> <div style="margin-right: 10px;"><input type="checkbox"/> GENETIC INFORMATION</div> <div style="margin-right: 10px;"><input type="checkbox"/> OTHER (Specify)</div> </div>			DATE(S) DISCRIMINATION TOOK PLACE <div style="display: flex; justify-content: space-between;"> <div>           Earliest  <b>03-01-2018</b> </div> <div>           Latest  <b>08-24-2018</b> </div> </div> <div style="margin-top: 10px;"><input checked="" type="checkbox"/> CONTINUING ACTION</div>
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)). <b>I was hired on or about July 2017 as a Customer Service Agent.</b>  <b>I interviewed for a position with my employer's competitor on or about March 2018, In retaliation my background check had discrepancies placed by my employer that would not allow me to get another position with any other airline. On or around April 2, 2018, I emailed my direct supervisor to notify him of my pregnancy and the needed restrictions. The next day I was terminated for violation of the attendance policy while on probation.</b>  <b>I believe that I was discriminated against and because of my sex (Female-due to pregnancy), in violation of Title VII of the Civil Rights Act of 1964, as amended.</b>			

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.	NOTARY - When necessary for State and Local Agency Requirements
I declare under penalty of perjury that the above is true and correct.  <div style="text-align: center; margin-top: 20px;"> <b>Digitally signed by Leeann Trujillo on 08-24-2018 04:11 PM EDT</b> </div>	I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT   SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)

CP Enclosure with EEOC Form 5 (11/09)

**PRIVACY ACT STATEMENT:** Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (11/09).
2. **AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
3. **PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
4. **ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

#### NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

#### NOTICE OF NON-RETALIATION REQUIREMENTS

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.

# **Exhibit B**

**Goetzl, Lauren**

---

**From:** Christman, Andrea, NMDWS <Andrea.Christman@state.nm.us>  
**Sent:** Thursday, May 16, 2019 2:17 PM  
**To:** Goetzl, Lauren  
**Subject:** RE: IPRA request  
**Attachments:** Trujillo v Amer Airlines.pdf

Ms. Goetzl –

I am resending the file with the original complaint that I believe was not in my previous submission. I can confirm that this is the entire HRB file and that we do not have record of an amended charge.

Please let me know if there is anything additional I may provide.

Thanks,

Andrea Christman  
Office of General Counsel  
(505) 841-8478



---

**From:** Goetzl, Lauren [mailto:lgoetzl@fisherphillips.com]  
**Sent:** Thursday, May 16, 2019 6:20 AM  
**To:** Christman, Andrea, NMDWS <Andrea.Christman@state.nm.us>  
**Subject:** [EXT] FW: IPRA request

Ms. Christman,

I wanted to follow up on my email below and see if you were able to confirm that this is the NMHRB's complete file and that there is no amended charge.

Thanks.

Best,  
Lauren

**Lauren G. Goetzl**  
**Associate**

Fisher & Phillips LLP  
7501 Wisconsin Avenue | Suite 1220W | Bethesda, MD 20814



O: (301) 880-5030 | D: 301-951-1536 | F: (301) 880-5031  
lgoetzl@fisherphillips.com

vCard | Bio | Website *On the Front Lines of Workplace Law<sup>SM</sup>*

---

*This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error, then immediately delete this message.*

---

**From:** Goetzl, Lauren  
**Sent:** Tuesday, May 7, 2019 2:56 PM  
**To:** 'Andrea.Christman@state.nm.us' <[Andrea.Christman@state.nm.us](mailto:Andrea.Christman@state.nm.us)>  
**Cc:** Gouhari, Jade <[jgouhari@fisherphillips.com](mailto:jgouhari@fisherphillips.com)>  
**Subject:** FW: IPRA request

Ms. Christman,

My assistant, Jade Gouhari, provided me with the attached documents. Can you please confirm that this is the NMHRB's complete file, as I note that there is no charge of discrimination included? If not, could you please send any additional documents, including the original and any amended charge or complaint of discrimination.

Thank you.

Best,  
Lauren



**Lauren G. Goetzl**  
Associate

Fisher & Phillips LLP  
7501 Wisconsin Avenue | Suite 1220W | Bethesda, MD 20814  
O: (301) 880-5030 | D: 301-951-1536 | F: (301) 880-5031  
lgoetzl@fisherphillips.com

vCard | Bio | Website *On the Front Lines of Workplace Law<sup>SM</sup>*

---

*This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error, then immediately delete this message.*

---

**From:** Christman, Andrea, NMDWS <[Andrea.Christman@state.nm.us](mailto:Andrea.Christman@state.nm.us)>  
**Sent:** Tuesday, May 7, 2019 1:38 PM  
**To:** Gouhari, Jade <[jgouhari@fisherphillips.com](mailto:jgouhari@fisherphillips.com)>  
**Subject:** IPRA request

Ms. Gouhari –

Attached please find the HRB file for Trujillo v. American Airlines . The second and third pages are blurry but they are as we received them from the EEOC. No independent investigation was conducted by the NMHRB.

If there are additional questions or concerns, please let me know.

Thanks,

Andrea Christman



Office of General Counsel  
(505) 841-8478



MICHELLE LUJAN GRISHAM  
GOVERNOR



BILL McCAMLEY  
SECRETARY DESIGNATE

HOWIE MORALES  
LT. GOVERNOR

STATE OF NEW MEXICO  
DEPARTMENT OF WORKFORCE SOLUTIONS  
Labor Relations Division - Human Rights Bureau  
1596 Pacheco St., Ste. 103  
Santa Fe, NM 87505  
Phone: (505) 827-6838

**ORDER OF NON-DETERMINATION**

February 7, 2019

Leeann Trujillo  
1107 Perion Court  
Belen NM 87002

c/o Timothy L. White, Esq.  
Valdez & White Law Firm  
P.O. Box 25646  
Albuquerque, NM 87125

**Re: Leeann Trujillo vs. American Airlines  
EEOC # 543-2018-01088**

Dear Ms. Trujillo:

As authorized by Section 28-1-10 (D) of the New Mexico Human Rights Act and the Work Sharing Agreement between the Equal Employment Opportunity Commission and the New Mexico Human Rights Bureau, this letter constitutes an Order of Non-Determination as to your complaint. In accordance with Mitchell-Carr, Smith, Vaughn and Herrera v. Office and Professional Employees International Union Local 251, 1999-NMSC-025, ¶ 10, 127 N.M. 282, this Order of Non-Determination is issued to afford you the right to pursue your complaint under the Human Rights Act in state district court.

By issuing this Order of Non-Determination, the Bureau has closed this complaint administratively, with prejudice. Therefore, you may not re-file this complaint with this bureau. You may obtain a new trial; however, by appealing this Order of Non-Determination to the proper district court. According to Section 28-1-13 (A) of the New Mexico Human Rights Act, you have ninety (90) days from the date of service of this Order of Non-Determination to file notice of appeal in the district court of the county where the alleged discriminatory practice occurred or where the respondent does business. The Bureau should not be named as a party to the appeal, unless you have an independent and separate claim against the Bureau. Section 28-1-13 (A) of the Act also requires that you serve a copy of the notice of appeal personally or by certified mail, return receipt requested, at the last known address of all parties. You also must serve a copy of the notice of appeal on the bureau office in Santa Fe. To properly serve the parties, you must comply with any other service of process requirements set forth in the New Mexico Rules of Civil Procedure at 1-004.

**IF YOU DO NOT FILE A NOTICE OF APPEAL WITH THE APPROPRIATE DISTRICT COURT WITHIN NINETY (90) DAYS OF YOUR RECEIPT OF THIS ORDER, AND IF YOU DO NOT PROPERLY SERVE THE NOTICE, YOUR RIGHT TO APPEAL THIS ORDER OF NON-DETERMINATION TO THE DISTRICT COURT WILL EXPIRE.**

If you have any question concerning this Order of Non-Determination, contact the Human Rights Bureau at 827-6838.

Sincerely,

A handwritten signature in cursive script that reads "Gonzales".

Jacqueline Gonzales  
Bureau Manager

cc: Karen Gillen, Jennifer M. Evans, Associate General Counsel, American Airlines  
P. O. Box 619616  
MD 5675  
DFW Airport, TX 75261





U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Albuquerque Area Office

301 Marquette N.W., Suite 900  
Albuquerque, NM 87102  
Media Inquiries (505) 845-6500  
Toll-Free (800) 255-8770  
Albuquerque Office (505) 248-5194  
Albuquerque Office Fax (505) 248-5194  
TTY (505) 248-5194  
FAX (505) 248-5194  
Enrollment FAX (505) 248-5194  
ADR FAX (505) 248-5194  
Toll-Free (800) 255-8770  
Website: www.eeoc.gov

Leeann Trujillo  
1107 Pecos Court  
Belen, NM 87002

EEOC Charge No.: 543-2018-01088

Dear Ms. Trujillo:

The purpose of this letter is to inform you that the EEOC has concluded its investigation of the above referenced charge of employment discrimination. After reviewing the information in the file including the information you submitted, the EEOC does not believe that additional investigation would result in our finding a violation.

The EEOC has terminated its investigation into your allegations. While we fully understand that the parties to a charge often have very firm views that the available evidence supports their respective positions, our final determinations must comport with our interpretation of the available evidence and the laws we enforce. This letter, and the enclosed documents, will dismiss your case and no further action will be taken by the EEOC.

Enclosed is your Dismissal and Notice of Right to Sue. The Dismissal and Notice will explain your right to pursue the matter in court. If you want to pursue your charge, you may do so on your own by filing in Federal District Court within 90 days from the date that delivery of the Notice was attempted at your last known address of record or 90 days of receipt of the Notice, whichever is earlier. If you do not file a lawsuit within the required 90-day period, your right to file a lawsuit in this matter will expire and cannot be restored by EEOC.

If you have any questions, please feel free to contact me at (505) 248-5194.

Sincerely,

10/31/2018

Date

Investigator



### DISMISSAL AND NOTICE OF RIGHTS

Leeann Trujillo  
1701 Parker Court  
Dallas, TX 75202

From: Phoenix Springs Area Office  
505 Alhambra, 14 W.  
Suite 800  
Alhambra, CA 91802

☐ On behalf of respondent, respondent hereby certifies that  
CHARGE NO. 10001 244-0194  
EEOC Charge No. 10001 244-0194  
Investigator  
Shirley L. Hall

#### THE EEOC IS CLOSING ITS FILE ON THE CHARGE FOR THE FOLLOWING REASON:

- ☐ The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- ☐ Your allegations do not involve a claim as defined by the Americans With Disabilities Act.
- ☐ The respondent employs less than the required number of employees or is not otherwise covered by the statute.
- ☐ Your charge was not timely filed with EEOC. In other words, you waited too long after the date(s) of the alleged discrimination to file your charge.
- ☒ The EEOC issues the following determination: Based upon an investigation, the EEOC is unable to conclude that the information obtained substantiates violations of the statute. This does not mean that the respondent is in compliance with the statute. No finding is made as to any other reason that might be construed as having been caused by this charge.
- ☐ The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- ☐ Other (Specify state)

#### NOTICE OF SUIT RIGHTS

(See the additional information attached to this form.)

This VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act. This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on the charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice, or your right to sue based on the charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

On behalf of the Commissioner  
Darius L. Newton, Area Office Director  
Jennifer M. Evans, American Airlines  
P.O. Box 610010  
MS 6075  
DFW Airport, TX 75201-0010

cc  
Karen Gillen  
American General Counsel  
AMERICAN AIRLINES  
P.O. Box 610010  
MS 6075  
DFW Airport, TX 75201-0010



**Valdez and White Law Firm, LLC**

**Suzanna R. Valdez**

**Timothy L. White**

**Alicia S. Leger**

P.O. Box 25646  
Albuquerque, NM 87125

Telephone (505) 345-0289  
Fax (505) 345-2573

[suzanna@valdezwhite.com](mailto:suzanna@valdezwhite.com), [tim@valdezwhite.com](mailto:tim@valdezwhite.com), [alicia@valdezwhite.com](mailto:alicia@valdezwhite.com)

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February 11, 2019

New Mexico Department of Workforce Solutions  
Human Rights Bureau  
1596 S. Pacheco St, #103  
Santa Fe, NM 87505

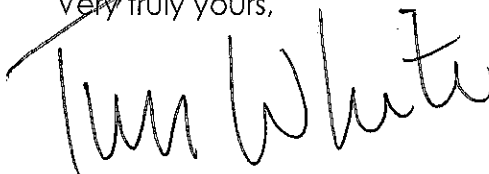
**Re: EEOC #543-2018-01088**  
**Charging Party: Leeann Trujillo**  
**Respondent: American Airlines**

To Whom It May Concern:

We represent Leeann Trujillo in her claim against American Airlines

This letter serves as our request for a copy of the Human Rights Bureau's  
investigative file in the above-referenced matter. We will of course pay any  
reasonable costs for these documents, provided we receive an invoice. Please  
contact this office with any questions. Thank you.

Very truly yours,



Timothy L. White

cc: Leeann Trujillo

**RECEIVED**

**FEB 19 2019**

**HUMAN RIGHTS BUREAU**

EEOC Form 5 (11/09)

<b>CHARGE OF DISCRIMINATION</b> This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To:      Agency(ies) Charge No(s): <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> FEPA  <input checked="" type="checkbox"/> EEOC         </div> <div style="text-align: right;"> <b>543-2018-01088</b> </div> </div>	
<b>New Mexico Dept of Workforce Solutions, Human Rights Bureau</b> and EEOC <i>State or local Agency, if any</i>			
Name (indicate Mr., Ms., Mrs.) <b>Ms. Leeann Trujillo</b>		Home Phone <b>(505) 459-7391</b>	Year of Birth
Street Address      City, State and ZIP Code <b>1107 Perion Court, BELEN, NM 87002</b>			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name <b>AMERICAN AIRLINES</b>		No. Employees, Members	Phone No. <b>(505) 788-7800</b>
Street Address      City, State and ZIP Code <b>2200 Sunport blvd se, ALBUQUERQUE, NM 87106</b>			
Name		No. Employees, Members	Phone No.
Street Address      City, State and ZIP Code			
DISCRIMINATION BASED ON (Check appropriate box(es).) <div style="display: flex; flex-wrap: wrap;"> <div style="margin-right: 10px;"><input type="checkbox"/> RACE</div> <div style="margin-right: 10px;"><input type="checkbox"/> COLOR</div> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> SEX</div> <div style="margin-right: 10px;"><input type="checkbox"/> RELIGION</div> <div style="margin-right: 10px;"><input type="checkbox"/> NATIONAL ORIGIN</div> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> RETALIATION</div> <div style="margin-right: 10px;"><input type="checkbox"/> AGE</div> <div style="margin-right: 10px;"><input type="checkbox"/> DISABILITY</div> <div style="margin-right: 10px;"><input type="checkbox"/> GENETIC INFORMATION</div> <div style="margin-right: 10px;"><input type="checkbox"/> OTHER (Specify)</div> </div>			DATE(S) DISCRIMINATION TOOK PLACE <div style="display: flex; justify-content: space-between;"> <div>           Earliest  <b>03-01-2018</b> </div> <div>           Latest  <b>08-24-2018</b> </div> </div> <div style="text-align: center; margin-top: 10px;"> <input checked="" type="checkbox"/> CONTINUING ACTION         </div>
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)). <b>I was hired on or about July 2017 as a Customer Service Agent.</b>  <b>I interviewed for a position with my employer's competitor on or about March 2018, In retaliation my background check had discrepancies placed by my employer that would not allow me to get another position with any other airline. On or around April 2, 2018, I emailed my direct supervisor to notify him of my pregnancy and the needed restrictions. The next day I was terminated for violation of the attendance policy while on probation.</b>  <b>I believe that I was discriminated against and because of my sex (Female-due to pregnancy), in violation of Title VII of the Civil Rights Act of 1964, as amended.</b>			

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.	NOTARY - When necessary for State and Local Agency Requirements
I declare under penalty of perjury that the above is true and correct.  <div style="text-align: center; margin-top: 20px;"> <b>Digitally signed by Leeann Trujillo on 08-24-2018 04:11 PM EDT</b> </div>	I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT   SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)

CP Enclosure with EEOC Form 5 (11/09)

**PRIVACY ACT STATEMENT:** Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (11/09).
2. **AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
3. **PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
4. **ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

#### NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

#### NOTICE OF NON-RETALIATION REQUIREMENTS

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.